

Application No. 10/612,211

Reply to Office Action

REMARKS

Reconsideration of the above-identified application is respectfully requested in view of the foregoing amendments and the following remarks.

The Pending Claims

Claims 1-14 are currently pending. Claims 1-14 are directed to a positive-working lithographic printing plate precursor.

Summary of the Office Action

Claims 8, 11 and 13 stand rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-4, 8-12 and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over Urano et al. (i.e., U.S. Patent Application Publication 2002/0058207) in view of Inoue et al. (i.e., European Patent Application 1145 848 A2).

Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Discussion of the Objection

Applicants acknowledge the objection to claims 5-7, and will address the objection (if necessary) in a future response.

Discussion of the Section 112 Rejection

The rejection of claims 8, 11, and 13 should be withdrawn in view of the above claim amendments. Applicants have revised the dependencies of these claims to reflect the subject matter applications regard as their invention.

Discussion of the Section 103 (a) Rejection

The obviousness rejection of claims 1-8 over Urano et al. in view of Inoue et al. should be withdrawn in view of the following comments.

In the Office Action, the Examiner advises that Urano et al. teaches the subject matter as claimed, with the exception of the anodic weight of the substrate as claimed. In an effort to bridge this gap, the Examiner concludes that "it would have been obvious to perform the anodizing treatment using conditions that would yield an anodized layer in an amount 2.0 to 6.0 g/m² based on the teachings of Inoue et al. to ensure a sufficient impression capacity." (Office Action p. 3, ¶ 7(a)).

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Applicants submit that the assertion is not soundly based in law because the two references are not properly combinable and, even if combined, would not produce the invention as claimed.

The Inoue reference is not pertinent prior art to the Urano reference because the former uses a printing plate technology that is distinct from the latter and, as a consequence, the references themselves fail to provide any motivation to modify Urano et al. in the manner suggested in the Office Action.

Urano et al. teaches a method for forming a positive image printing plate using heat-induced solubilization. In this method, preselected areas of a plate precursor are image-wise exposed by heat and/or light, after which the exposed areas are dissolved using a developing solution. The unexposed areas of the printing plate, which do not dissolve in the developing solution are ink-accepting, and will form an image when the plate is mounted on a printing press.

The problems associated with this technology, as recognized in Urano et al., are low differentiation between the development kinetics of exposed and non-exposed areas, limited shelf life resulting in low quality prints (lack of sharpness in the edges and toning) and a narrow development latitude. See, e.g., *Urano et al.* at ¶ [0014].

In marked contrast, Inoue et al. relates to the preparation of negative printing plates using latex coalescence. In this method, the parts of the plate precursor that are imaged become insoluble by melt-solidification. The exposed areas thus possess a reduced solubility in developing solution, while the non-exposed areas are removed via solubilization.

As discussed above, the technologies described in the two references are quite distinct, and there is no statement within the references themselves that would motivate one skilled in the art to look to a negative printing plate (Inoue et al.) to solve a problem with a positive printing plate (Urano et al.). Although Inoue et al. may teach one that ensuring sufficient compression capacity is important for Inoue et al. negative printing plates, there is nothing in Inoue et al. itself that would motivate one skilled in the art to adjust the anodized layer of Urano et al., a positive printing plate, to ensure that the positive plate has a sufficient compression capacity. Indeed, of the problems identified by Urano et al. itself, there is no suggestion or teaching in Inoue et al. that any of the technology disclosed therein would be able to solve such problems. Certainly, Inoue et al. does not teach that development kinetics

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of exposed and non-exposed areas, limited shelf life resulting in low quality prints, or a narrow development latitude, will be successfully addressed by providing an anodizing layer per Inoue et al. Impression capacity was not at issue in the Urano reference and was not discussed anywhere in the application.

It appears that the basis for introducing the Inoue et al. teaching is based solely on hindsight, and cannot be justified based on the teachings set forth in the references themselves. For these reasons, withdrawal of the rejection is respectfully requested.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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